THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.15098 OF 2007

Dated: 17-07-2007

Between :

Raju Anjamma …Petitioner

And

1. The Deputy Commissioner, Endowments Department, Guntur., and
2 others.

..Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.15098 OF 2007

ORDER :

This writ petition is filed seeking a Mandamus declaring that the action of the respondents in proposing to conduct public auction on 17-7-2007 for grant of leasehold rights in respect of 11 acres of land situated in Sy.No.222 of Yazali Village, Karlapalem Mandal, Guntur District as arbitrary and illegal.

It is not in dispute that the land in question belongs to Sri Laxminarasimha Swamyvari Temple, Yazali Village, Karlapalem Mandal, Guntur District. Admittedly, the petitioner herein was the successful bidder in the public auction conducted on 26-7-2006.

Whereas the petitioner contends that the lease granted in his favour for a period of 3 years from 2006-2007 to 2008-2009 and therefore the impugned action of the respondents in proposing to conduct public auction for fresh grant of lease is arbitrary and illegal. However, the learned Government Pleader for Endowments appearing for the respondents submitted that the lease was actually granted only for a period of one year i.e., 2006-2007 and therefore the auction is proposed to conducted for grant of leasehold rights for the year 2007-2008.

The record placed before this Court by the learned Government Pleader shows that though it is a fact that the auction was proposed to be conducted on 26-7-2006 for grant of leasehold rights for a period of 3 years, since there was no proper competition among the bidders, the 3rd respondent vide letter dated 5-8-2006 submitted a report requesting

the Commissioner of Endowments to grant approval for one year and permit him to conduct auction every year for yearly lease.

Having considered the same, the Assistant Commissioner of Endowments, the leasehold rights granted in favour of the petitioner was only for a period of one year i.e., 2006-2007. From the record, since it is clear that the lease granted in favour of the petitioner was only for a period of one year, the impugned action of the respondents in proposing to conduct fresh auction for the year 2007-2008 cannot be found fault with.

The Writ Petition which is devoid of any merit and the same is accordingly dismissed. No costs.

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G. ROHINI, J.

Dt. 17-7-2007
gbs
Note:- CC by tomorrow.